

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6753 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

PRAKASHBHAI K BRAHMBHATT

Versus

STATE OF GUJARAT

Appearance:

MR BHARAT T RAO for Petitioner
Mr VM Pancholi, AGP, for Respondent No. 1
MR BG PATEL for Respondent No. 2
RULE NOT RECD BACK for Respondent No. 3

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 19/08/1999

ORAL JUDGEMENT

It is brought to the notice of the Court that petitioner Prakashbhai K Brahmbhatt has expired. The petitioner has not claimed any personal proprietary right but has challenged the exemptions granted by the State Government in favour of respondents nos.2 and 3 under Section 20 of the Urban Land (Ceiling & Regulation) Act,

1976. Hence, there is no question of cause of action surviving to the petitioner's heirs and legal representatives and even otherwise in view of the provisions of the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the State Government by its Resolution dated 30.3.1999 under Article 252(2) of the Constitution, this petition would abate. The petition is accordingly abated.

(mohd)